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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN BONILLA as CHAIRMAN and KEN
WALTERS as CO-CHAIRMAN of the
BOARDS OF TRUSTEES FOR THE
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND, PENSION FUND
FOR OPERATING ENGINEERS,
PENSIONED OPERATING ENGINEERS
HEALTH AND WELFARE FUND,
OPERATING ENGINEERS VACATION
AND HOLIDAY TRUST FUND,
NORTHERN CALIFORNIA
PREAPPRENTICE, APPRENTICE AND
JOURNEYMAN AFFIRMATIVE ACTION
TRAINING FUND, OPERATING
ENGINEERS CONTRACT
ADMINISTRATION FUND FOR
NORTHERN CALIFORNIA, OPERATING
ENGINEERS INDUSTRY STABILIZATION
TRUST FUND AND OPERATING
ENGINEERS MARKET PRESERVATION
TRUST FUND,

Plaintiffs,

v.

WILSON SWEEPING COMPANY, a
Business Entity; and ERIC WILSON, an
Individual,

Defendants.

Case No.: C-05-01873 CW

**ORDER GRANTING STIPULATION
FOR DISMISSAL WITHOUT
PREJUDICE**

IT IS HEREBY STIPULATED, by and between all plaintiffs and all defendants, by and
through their respective counsel of record, that the within action may be dismissed, without

1 prejudice, each party to bear its own costs and fees (except to the extent expressly stated otherwise
2 in the settlement agreement between the parties).

3 This stipulation is entered into because the parties have reached a settlement which the
4 parties anticipate will entirely dispose of this matter once all payments under it are made.

5 WHEREFORE, it is respectfully requested that the court enter its order of dismissal as
6 indicated herein.

7
8 DATED: September ____, 2005

STANTON, KAY & WATSON, LLP

9
10 By _____
James P. Watson

11 Attorneys for all Plaintiffs

12
13 DATED: September ____, 2005

SUNTAG & FEUERSTEIN
A Professional Corporation

14
15 By _____
Dana A. Suntag

16 Attorneys for all Defendants

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18
19 **ORDER**

20 Upon reading the Stipulation for Dismissal of counsel for the parties herein, it is hereby
21 ORDERED that the within action is dismissed without prejudice, each party to bear its own costs
22 and fees (except to the extent expressly stated otherwise in the settlement agreement between the
23 parties).

24 /s/ CLAUDIA WILKEN

25 DATED: _9/20/05_____

26 Hon. Claudia Wilken
United States District Judge